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FILED WITH THE BOARD OF
VETERINARY MEDICAL EXAMINERS
ON September 9, 1997

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF VETERINARY MEDICAL EXAMINERS

IN THE MATTER OF THE SUSPENSION
OF THE LICENSE OF

LILLIAN P. STREIT, VMD

TO PRACTICE VETERINARY MEDICINE
IN THE STATE OF NEW JERSEY

: Administrative Action
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ORDER

This matter was opened to the New Jersey State Board of Veterinary Medical Examiners on or about September 21, 1995, when the Board wrote a letter to Lillian P. Streit, VMD, notifying her that a complaint had been received about her care and treatment of a dog who died. Dr. Streit was told that she was required to respond to the allegations within five (5) days and to submit to the Board the original records, including X-rays, for the dog in question. Dr. Streit signed the post office form for the receipt of the letter on September 29, 1997, but failed to respond in any manner.

On January 30, 1996, a second letter from the Board was addressed to Dr. Streit, enclosing a copy of the first letter and advising her that if she did not respond immediately she could be subpoenaed to appear before the Board to discuss the complaint as well as her failure to respond to the Board's September 1995 letter. Dr. Streit failed to respond in any manner.

A subpoena was served on Dr. Streit on May 24, 1996, requiring that she appear before the Board on June 26, 1996 for an investigative

inquiry. Dr. Streit appeared on that date, agreed to proceed without counsel, and testified under oath. She stated that she had been employed at the Animal Clinic of Bayonne since 1982. She admitted that she had received the letter of September 1995, indicating that she "wrote everything up and put it in a folder..." but that because of her "personal life at the time it just -- it was just never sent..." She admitted receiving the letter of January 1996, but did not remember why she had not responded. She admitted that "there was no reason not to..." have answered the Board's letters, and before the close of the inquiry submitted original medical records pertaining to, and a summary explaining her care and treatment of, the canine in question.

Dr. Streit admitted that she did not remember whether she had renewed her license to practice veterinary medicine in 1995 as required by N.J.S.A. 45:16-9.4. The Board informed Dr. Streit that it had not received her application and that she could not practice until she had done so, and she was urged to submit her application for renewal that day. She did so.

The Board found that Dr. Streit had acted in a less than professional manner by failing to cooperate with the Board in its investigation, and that she had thereby violated N.J.A.C. 13:45C-1.1. The Board further found that she had violated N.J.A.C. 45:16-9.4 by failing to renew her license certificate.

On July 9, 1996, the Board send Dr. Streit a letter advising her that the Board had made the aforesaid determinations and had assessed a civil penalty of \$1,500.00 (\$750.00 for each occasion of failure to cooperate), \$750.00 for failure to renew her license certificate, and costs of \$129.68, for a total of \$2, 379.68. Dr. Streit was told that

she could dispose of the matter without a hearing and without recourse to litigation by signing the form which was attached and returning it to the Board within ten days with remittance of the full amount assessed. She was also advised that, if she wished a hearing on the matter, she should request one within ten days, and that at the time of hearing she could appear with counsel, witnesses and documentary evidence. Finally, she was advised that if she did not respond to the letter within ten days the Board might assess additional penalties pursuant to N.J.S.A. 45:1-21 and N.J.A.C. 13:45C-1.1. Dr. Streit signed the post office receipt for that letter on July 24, 1996. She did not respond in any manner.*

By letter of July 8, 1997, Dr. Streit was advised that she had been scheduled for a formal hearing before the Board on August 13, 1997, and was again advised that she could be accompanied by counsel and could present witnesses and other evidence. Dr. Streit signed for the letter and did not respond, but appeared on August 13, 1997 without counsel and waived her right to be represented by an attorney. Deputy Attorney General Marilyn Bair appeared of behalf of the Attorney General.

Dr. Streit stipulated to the fact that she had received and signed for letters dated September 21, 1995, January 30, 1996 and July 9, 1996, and copies of the letters and signed receipts were placed in evidence. Dr. Streit was sworn and was questioned by members of the Board. She was also permitted to address the Board and to make a

*At its meeting on August 28, 1996, the Board reviewed the original complaint as well as Dr. Streit's medical records and letter of explanation, and found that Dr. Streit had not violated the Veterinary Medical Practice Act in her care of treatment of the canine.

statement. Again, Dr. Streit was unable to offer a reason for her failure to cooperate with the Board. She further acknowledged that she had failed to renew her license certificate for the 1997-1999 biennial period, the application for which should have been submitted prior to June 31, 1997, and that she had therefore been practicing veterinary medicine without a license for a period of more than one month. Dr. Streit indicated that she would submit the application before leaving that day.

Following deliberations, the Board determined that Dr. Streit had failed to cooperate with the Board on three occasions by failing to respond to letters, in violation of N.J.A.C. 13:45C-1.1, and had twice failed to renew her license certification as required, with the result that she had practiced without a valid license during at least two periods of time, in violation of N.J.A.C. 45:16-9.4. On the basis of its findings of those violations, the Board in public session and hereby

ORDERS that;

1. The license heretofore issued to Lillian P. Streit, VMD, to practice veterinary medicine in the State of New Jersey is suspended for a period of three years, the first two months to be served as an active suspension and the remaining thirty-four (34) months of suspension to be stayed and served as a period of probation.

2. Prior to resuming the practice of veterinary medicine, Dr. Streit shall pay to the Board the \$2,379.68 which was previously assessed.

3. Dr. Streit shall pay to the Board an additional penalty of \$2000.00 and costs of hearing in four equal payments to be forwarded to the Board on a quarterly basis.

4. Should Dr. Streit fail to submit a quarterly payment; should she fail in any manner to cooperate with the Board; or should she violate any statute or regulation of the Board, her stayed suspension will be activated immediately.

BOARD OF VETERINARY
MEDICAL EXAMINERS

By Stanley Sigel
Stanley Sigel, V.M.D.
President